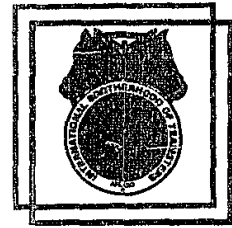


INTERNATIONAL
BROTHERHOOD OF TEAMSTERS
AFL-CIO



LEGAL DEPARTMENT

OFFICE: (202) 624-6945
FAX: (202) 624-6884

October 19, 1999

General Counsel's Office
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

Re: MUR 4930

OCT 21 3 15 PM '99

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

Dear Sir:

Please note the appearance of the undersigned on behalf of the International Brotherhood of Teamsters ("International Union"). I have been authorized to receive additional notifications or other communications from the Commission regarding the above-referenced matter.

It is the position of the International Union that the complaint, on its face, does not allege a violation within the Commission's jurisdiction. As we understand the basis for this very long running dispute, it arises between a group of members of local unions affiliated with the International Union and their respective local unions. It stems from the negotiation of a series of collective bargaining agreements in 1986 which provided for the payment of supplemental working dues by the employees subject to those contracts. The International Union neither negotiated those collective agreements nor was the recipient of any of the funds generated by the supplemental dues formula.

As you may know, the International Union is not the certified bargaining representative of the employees who are allegedly represented by Attorney Philip Stimac. Under the terms of the National Labor Relations Act, the employees of the companies are represented by local unions affiliated with the International Union. It is the local unions which negotiated the collective bargaining agreements containing the dues provisions to which Mr. Stimac has objected.

Under the terms of the International Union's constitution, the union members affected by a collective bargaining agreement must ratify a proposed

contract. While the International Union was not involved in the negotiation of the collective bargaining agreements in 1986, or in the renewal of any such agreements since that time, the members had the opportunity to vote on the supplementary working dues provision at the time those contracts were ratified. Indeed, they have had the opportunity to vote on the contracts each time they have been renegotiated since 1986.

The International Union does not have any specific information concerning the amount or disposition of the revenue generated by the supplemental working dues which has been collected by the involved local unions. It is our understanding that the local unions used that money to fund their representational activities. However, it does not appear that the Commission is responsible for securing such an accounting without significant evidence that money was expended in a manner which would violate the Federal Election Campaign Act. And, as noted, no such evidence has been presented.

Instead, it is apparent that Mr. Stimac's complaint is more concerned with the manner in which the initial dues collection procedure was authorized. That issue is not within the Commission's scope of responsibility. Rather, complaints about the manner in which local unions adopt and adjust dues rates may be adjudicated under the Labor-Management Reporting and Disclosure Act of 1959, 29 U.S.C. §401. Supplemental working dues are not uncommon in certain industries, including the construction crafts. They reflect the irregular work assignments of such employees and essentially require those who work most, and who receive the most representation on their jobs, to pay their fair share of the cost of that representation.

I see nothing in Mr. Stimac's recitation of the numerous lawsuits he has brought against unions and politicians which suggests that there is any basis for the current complaint. I think it is safe to assume that his prior litigation was found to be without merit; had he obtained the relief he seeks he would not be pursuing this new avenue of attack upon the supplementary dues.

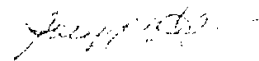
I regret that I am unable to provide you with additional information concerning this matter, at this time. However, it appears clear from the materials which you have forwarded that Mr. Stimac and his clients have no information to support any claim that the International Brotherhood of Teamsters has violated the Federal Election Campaign Act in any manner. Nor is there evidence that the

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affiliated local unions have utilized the supplemental working dues in a manner which implicates the Act.

As I have indicated, you may communicate with me should you have any additional materials you wish to serve upon the International Union. In addition, should you wish to discuss this matter, I may be reached at telephone (202) 624-7466.

Sincerely yours,



Gary S. Witlen

cc: James P. Hoffa, General President